IN RE: PETITION FOR SPECIAL EXCEPTION SW/Corner of Carroll Island Road and Bowleys Quarters Road 5th Election District 6th Councilmanic District **(118 Carroll Island Road)**	* * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Middle River Gym, *Petitioner*	*	CASE NO. 05-116-X

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Carroll Island Associates Limited Partnership, and the Petitioner/lessee, Middle River Gym. The special exception request is to approve a gym or health club as a community building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

Appearing at the hearing in support of the requested relief was Robert Marshall on behalf of the Petitioner, Middle River Gym, Tunnie Ping, the professional land surveyor who prepared the site plan for the special exception, and David Karceski, attorney at law, representing the Petitioner. There were no protestants or other interested persons in attendance at the hearing.

Testimony and evidence indicated that the tenant space, which is the subject of this request, is in the Carroll Island Shopping Center, located at the southwest corner of the intersection of Carroll Island and Bowleys Quarters Roads. The property is improved with a large retail shopping center that includes a mix of retail, office, and commercial uses. The Petitioner herein, Middle River Gym, is interested in gaining approval for a health club, which is currently located in the area of the shopping center labeled "area of special exception," as shown on Petitioner's Exhibit No. 1.

A floor plan of the facility was submitted into evidence as Petitioner's Exhibit 2. Typical of the industry, Middle River Gym offers a variety of aerobic and strength exercise equipment. There

ORDER RECEIVED FOR FILING
Date 1/31/05
By

will not be a swimming pool, nor will there be any basketball or racquetball courts. Mr. Karceski proffered for Petitioner that club members have twenty-four (24) hours a day, seven days per week access to the facility by way of member-only key cards.

The Middle River Gym is considered a "community building" pursuant to B.C.Z.R. Section 230.13. Section 230.13 permits, by special exception, a "Community building, swimming pool, or other structural or land use devoted to civic, social, recreational and educational activities . . . " in the B.L. zone. (Emphasis added.) Athletic facilities and gymnasiums have typically been considered community buildings by the Zoning Review Office.

Testimony and evidence offered was that the use is appropriate at this location and will not be detrimental to the health, safety, and general welfare of the locale. I find that the relief requested meets the special exception requirements of B.C.Z.R. Section 502.1 and am, therefore, persuaded to grant the request. However, in so granting, I impose a restriction relative to the parking area that serves the shopping center as a whole. The Zoning Advisory Comment submitted by the Bureau of Development Plans Review indicated that the Zoning Commissioner should consider removal of five parking spaces in the vicinity of one of the shopping center's two Carroll Island Road access points to allow for improved on-site traffic circulation. Following issuance of the comment, Development Plans Review accepted removal of a portion of an existing concrete parking lot island in the vicinity of the access point as an alternative solution. Exhibit A attached hereto indicates the concrete island improvements to be made, as accepted by Development Plans Review.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 31st day of January, 2005, that the Petition for Special Exception to permit a community building in

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Date 1/31/05
By

a B.L. zone, pursuant to B.C.Z.R. Section 230.13 in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2. The legal owner shall remove a portion of a concrete parking lot island in the vicinity of the shopping center's easternmost access point to Carroll Island Road on or before May 1, 2005, consistent with and as indicated on Exhibit A to this Order.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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Date 1/31/05
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

January 31, 2005

David Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Special Exception
Case No. 05-116-X
Property: 118 Carroll Island Road

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

William J. Wiseman, III,
Zoning Commissioner

WJW,III:raj
Enclosure

c: Robert Marshall, Middle River Gym, 8239 Green Ice Drive, Pasadena, MD 21122
Tunnie Ping, RLS, 601 E. Pratt St., 6th Flr., Baltimore, MD 21202

Printed on Recycled Paper

Patsy Malone

C B C A

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 118 Carroll Island Road

which is presently zoned BL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto a made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use t herein described property for

A community building (health club) pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by t zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Patsy Kowalski

Middle River Gym
Name - Type or Print

Robert Marshall
Signature By: Robert Marshall

8239 Green Ice Drive (410) 360-6424
Address Telephone No.

Pasadena, Maryland 21122
City State Zip Code

Legal Owner(s):

Carroll Island Associates, Limited Partnership
Name - Type or Print

Glenn Weinberg
Signature By: Glenn Weinberg, Authorized Person

Name - Type or Print

Signature

601 E. Pratt Street, 6th Fl. (410) 752-5444
Address Telephone No.

Baltimore, Maryland 21202
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print

Robert A. Hoffman
Signature

Venable LLP
Company

210 Allegheny Avenue (410) 494-6200
Address Telephone No.

Towson, Maryland 21204
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name

210 Allegheny Avenue (410) 494-6200
Address Telephone No.

Towson, Maryland 21204
City State Zip Code

ORDER RECEIVED FOR FILING
Date 11/31/05
By

Case No. 05-116-X

REV 09/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date 8/31/04

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 040671

DATE 8/31/04 ACCOUNT R001 006 6150

AMOUNT $ 380.00

RECEIVED FROM: VEJABLE

FOR: 05-116-X

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
8/31/2004	8/31/2004	09:32:29	2

REG WRD4 WALKIN DOWN DWD
>>RECEIPT # 278259 8/31/2004 OFLN
Dept: 5 520 ZONING VERIFICATION
CR NO. 040671
Recpt Tot. $380.00
$380.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-116-X
118 Carroll Island Road
S/west corner of Carroll Island Rd. and Bowleys Quarters Rd.
15th Election District
6th Councilmanic District
Legal Owner(s): Carroll Island Associates, Ltd. Partnership, Glenn Weinberg
Contract Purchasers: Middle River Gym, Robert Marshall
Special Exception: to permit a community building (health club).
Hearing: Wednesday, October 20, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/10/616 Oct. 5 24406

CERTIFICATE OF PUBLICATION

10/7/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/5/, 2004.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-116-X

Petitioner/Developer: MIDDLE RIVER GYM, ROBERT MARSHALL

Date of Hearing/Closing: OCT 20, 2004

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

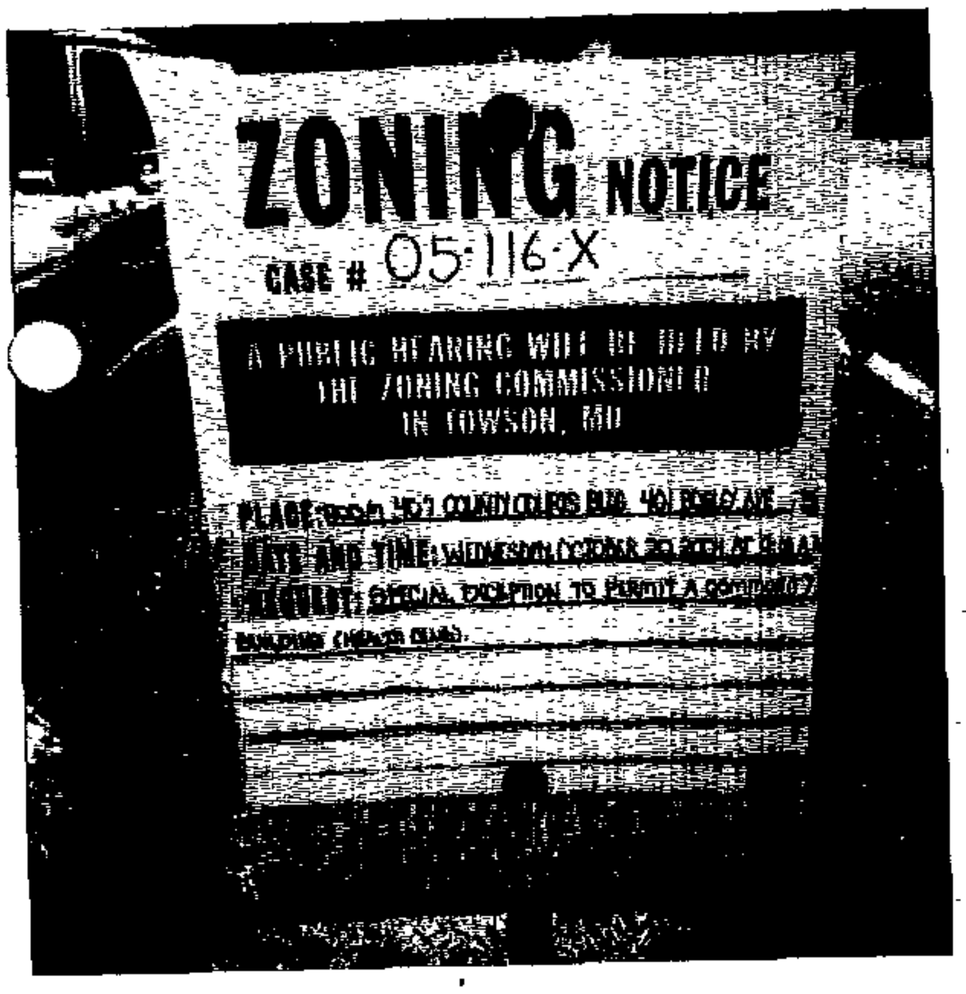
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

118 CARROLL ISLAND RD

The sign(s) were posted on OCT 4, 2004
(Month, Day, Year)

Sincerely,



Robert Black 10/7/04
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

RECEIVED
OCT 1 2 2004
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

Baltimore County

James T Smith, Jr., County Executive
Timothy M. Kotroco, Director

September 10, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-116-X
118 Carroll Island Road
S/west corner of Carroll Island Road and Bowleys Quarters Road
15th Election District – 6th Councilmanic District
Legal Owners: Carroll Island Associates, Ltd. Partnership, Glenn Weinberg
Contract Purchasers: Middle River Gym, Robert Marshall

Special Exception to permit a community building (health club).

Hearing: Wednesday, October 20, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, 210 Allegheny Ave., Towson 21204
Carroll Island Associates, Glenn Weinberg, 601 E. Pratt St., 6th Fl., Baltimore 21202
Middle River Gym, Robert Marshall, 8239 Green Ice Dr., Pasadena 21122

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 5, 2004.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 5, 2004 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-116-X
118 Carroll Island Road
S/west corner of Carroll Island Road and Bowleys Quarters Road
15th Election District – 6th Councilmanic District
Legal Owners: Carroll Island Associates, Ltd. Partnership, Glenn Weinberg
Contract Purchasers: Middle River Gym, Robert Marshall

Special Exception to permit a community building (health club).

Hearing: Wednesday, October 20, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements The newspaper will bill the person listed below for the advertising This advertising is due upon receipt and should be remitted directly to the newspaper

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number 05-116-X

Petitioner: Carroll Island Associates

Address or Location. 112 Carroll Island Road

PLEASE FORWARD ADVERTISING BILL TO

Name: Amy L. Dontell

Address Venable, LLP
210 Allegheny Ave.
Towson, Maryland 21204

Telephone Number: 410-494-6244

Department of Permits and Development Management

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 14, 2004

Robert Hoffman
Venable, LLP.
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number:05-116-X, 118 Carroll Island Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 31, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Robert Marshall Middle River Gym 8239 Green Ice Drive Pasadena 21122
Glenn Weinberg Carroll Island Assoc. 601 E. Pratt Street, 6th Fl. Baltimore 21202

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 14, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: September 13, 2004

Item No.: 108, 116-119, 122-124, 128 & 129

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

). The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

: File

inted on Recycled Paper

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 5.13.04

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 116 LTM

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

BW 10/20

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

OCT - 6 2004

ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: October 6, 2004

SUBJECT: Zoning Item # 05-116
Address 7219 Bucher Road (McCann Property)

Zoning Advisory Committee Meeting of September 13, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The entire site came into compliance with the Critical Area requirements as part of DEPRM's review of the WalMart development.

Reviewer: Glenn Schaffer Date: October 6, 2004

S:\Devcoord\ZAC SHELL 11-20-03.doc

Del 10/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 30, 2004

RECEIVED

OCT - 1 2004

ZONING COMMISSIONER

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-116**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A. Cunningham

Division Chief: Lyn Lanham

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 28, 2004

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 20, 2004
Item No. 116

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The five parking spaces near the access off Carroll Island Road must be eliminated (see the attached sketch).

RWB:CEN:jrb

cc: File

OPEN ISSUE - to be resolved.

improved development site

- leave Record open -

County #1

ZAC-09-20-2004-ITEM NO 116-09282004

RE:	PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
	118 Carroll Island Road; SW corner Carroll Island Road & Bowleys Quarters Road	*	ZONING COMMISSIONER
	15th Election & 6th Councilmanic Districts		
	Legal Owner(s): Carroll Island Associates, Limited Partnership by Glen Weinburg	*	FOR
	Contract Purchaser(s): Middle River Gym, By Robert Marshall	*	BALTIMORE COUNTY
	Petitioner(s)	*	05-116-X

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
SEP 2 2 2004
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of September, 2004, a copy of the foregoing Entry of Appearance was mailed Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204 , Attorney for Petitioner(s).

Peter Max Zimmerman

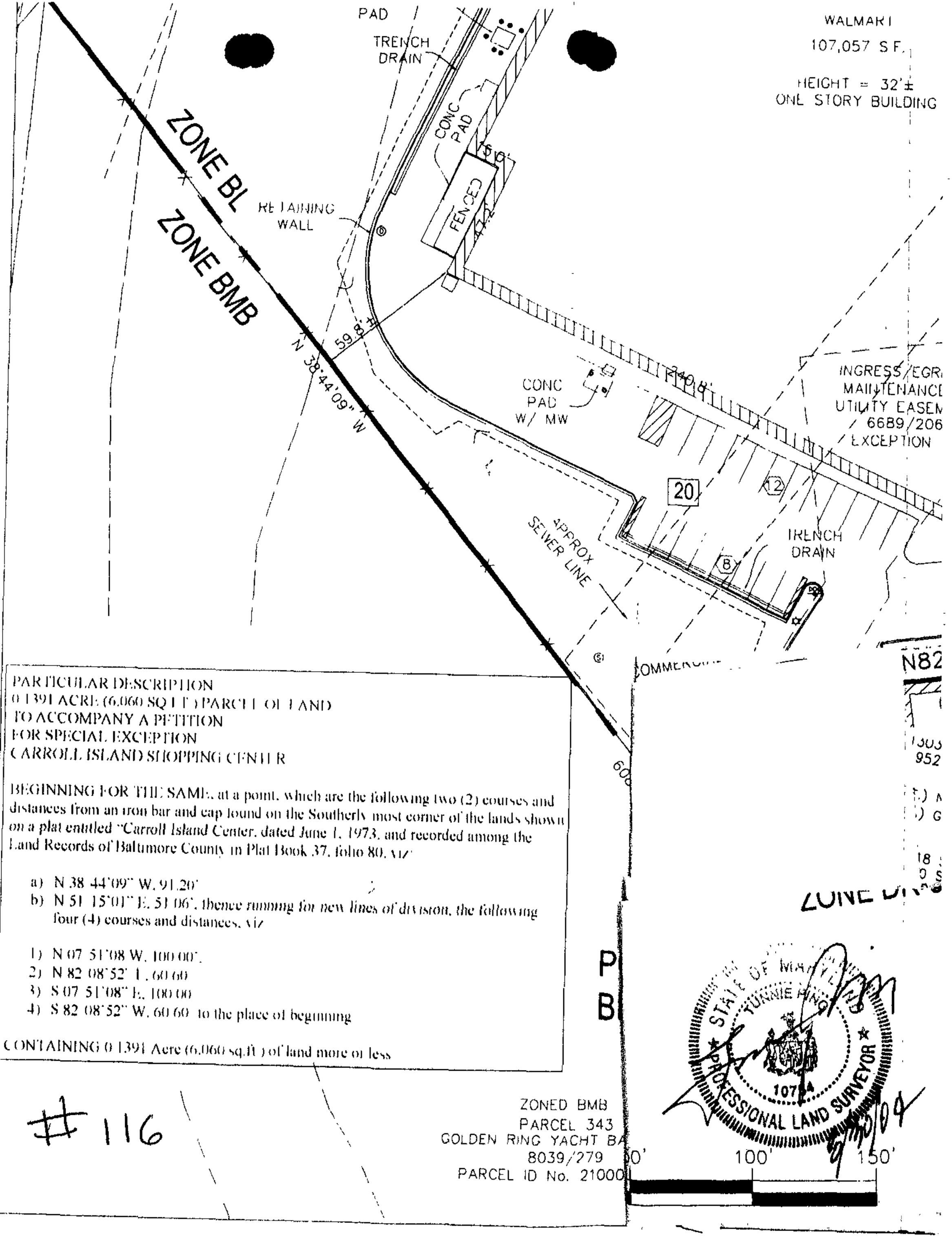
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME Robert Marshall
CASE NUMBER 05-116-X
DATE 10/20/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
David Karcuski	210 Allegheny Ave	Towson Maryland 21204	dhkarcuski@verizon.com
Tyrrie Ring	601 E. Pratt St.	Baltimore, MD	tyrrie@cordish.com
Robert Marshall	118 Carroll Island Rd	Baltimore, MD 21220	robertmarshall@hotmail.com



PARTICULAR DESCRIPTION
0.1391 ACRE (6,060 SQ.FT.) PARCEL OF LAND
TO ACCOMPANY A PETITION
FOR SPECIAL EXCEPTION
CARROLL ISLAND SHOPPING CENTER

BEGINNING FOR THE SAME, at a point, which are the following two (2) courses and distances from an iron bar and cap found on the Southerly most corner of the lands shown on a plat entitled "Carroll Island Center, dated June 1, 1973, and recorded among the Land Records of Baltimore County in Plat Book 37, folio 80, viz:

a) N 38°44'09" W, 91.20'
b) N 51°15'01" E, 51.06', thence running for new lines of division, the following four (4) courses and distances, viz

1) N 07°51'08" W, 100.00'
2) N 82°08'52" E, 60.60
3) S 07°51'08" E, 100.00
4) S 82°08'52" W, 60.60 to the place of beginning

CONTAINING 0.1391 Acre (6,060 sq.ft.) of land more or less

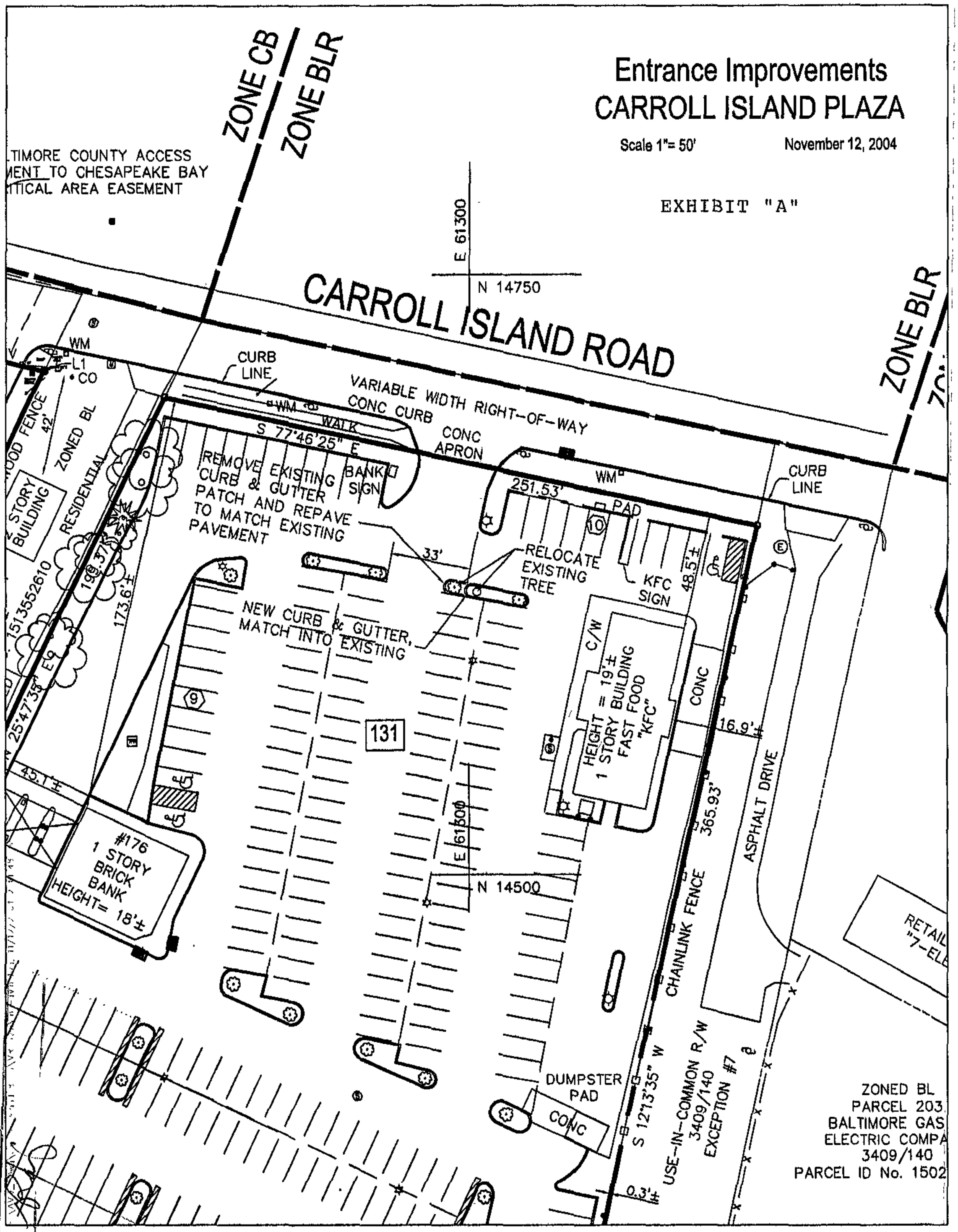
#116

P
B

Entrance Improvements
CARROLL ISLAND PLAZA

Scale 1"= 50' November 12, 2004

EXHIBIT "A"



ORDER RECEIVED FOR FILING
Date
By

Case No.: 05-116 SPHXA

Exhibit Sheet

	Petitioner/Developer	~~Protestant~~ County
No. 1	Site Plan - Sealed By Tunnie Ping	Memo + Plat Robert Bowly 9/28/04
No. 2	Zoning Commissioners Policy Manual - definition of Rec Facilities	
No. 3	Floor Plan of Club	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1991 Edition

Baltimore County

Zoning Commissioner's Policy Manual

adopted MAY 21,1991

Administrative Supplement to the Baltimore County Zoning Regulations

EXHIBIT 2

SECTION
230.13 SPECIAL EXCEPTION USES

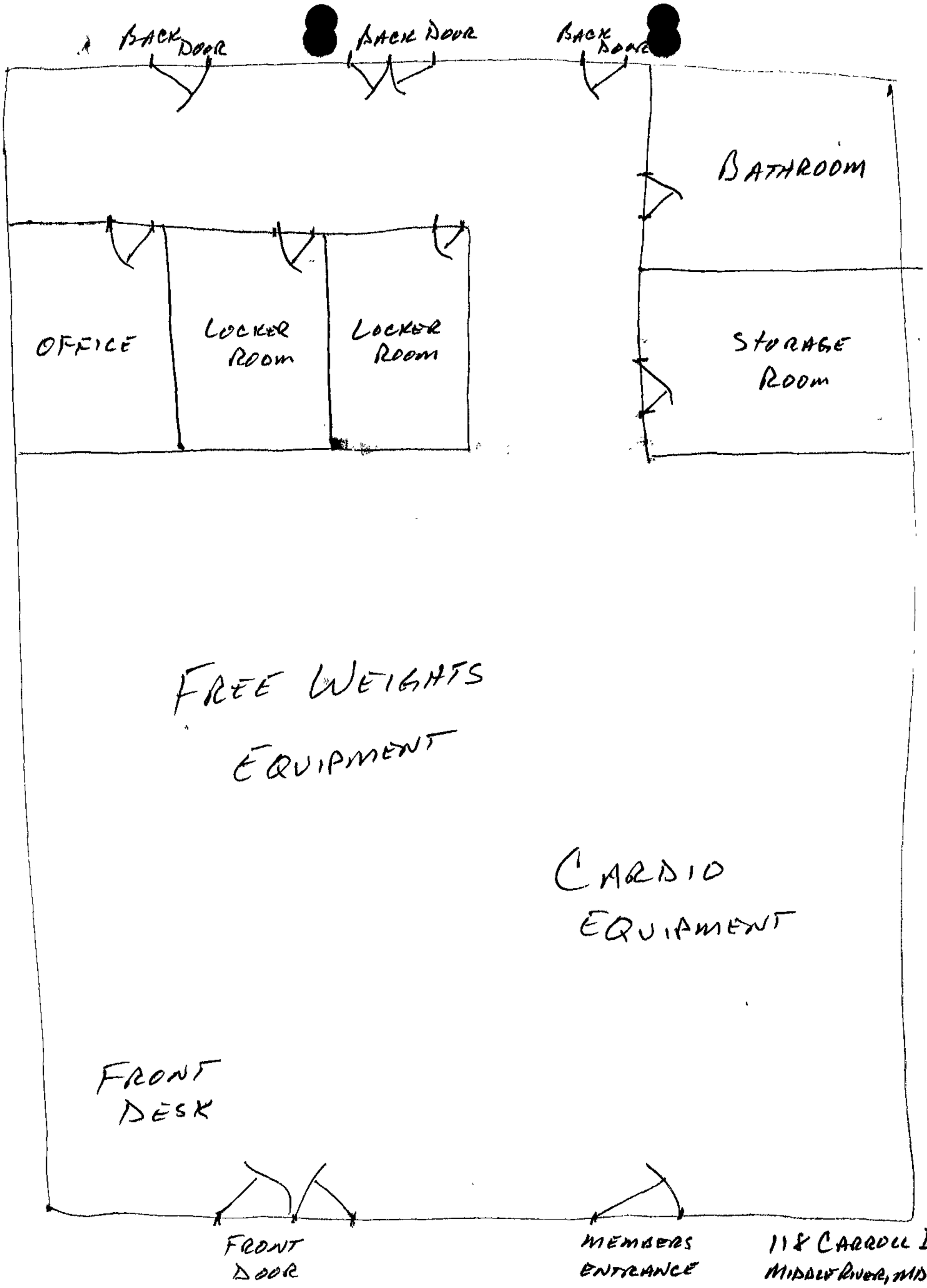
OTHER RECREATION FACILITIES including one or several of the following uses:

COUNTRY CLUB
GYMS
HANDBALL COURTS
HEALTH CLUB/SPA
RACQUETBALL COURTS
RELAXATION TANKS
TANNING FACILITY
TENNIS COURTS
WEIGHTLIFTING OR RESISTANCE EQUIPMENT
WHIRLPOOL SPA

See the following case: 83-151 XSPH

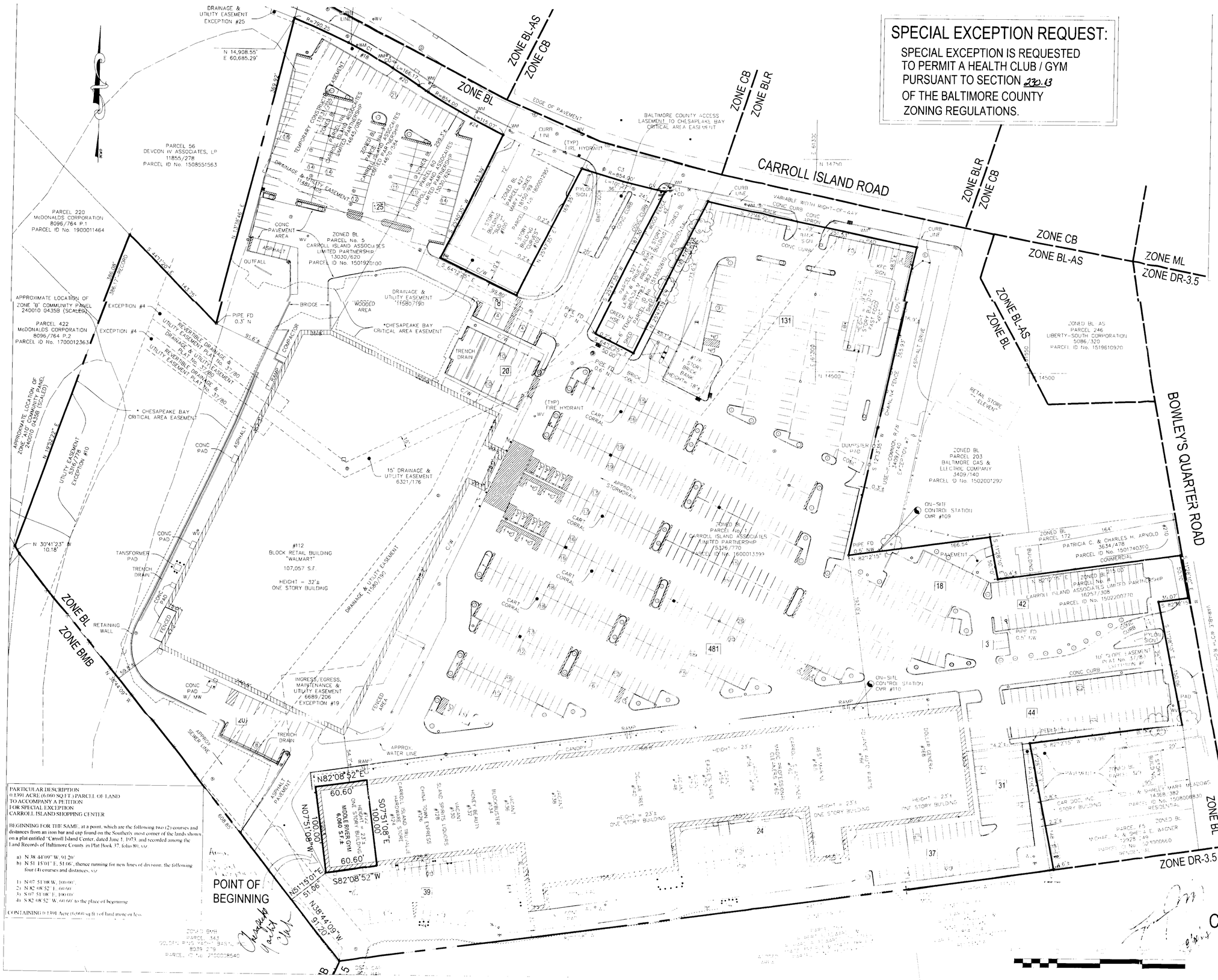
FUNERAL ESTABLISHMENT A crematorium is not allowed by right or by special exception in any zone, but is permitted by hearing as an accessory use to the principal use of a funeral establishment.

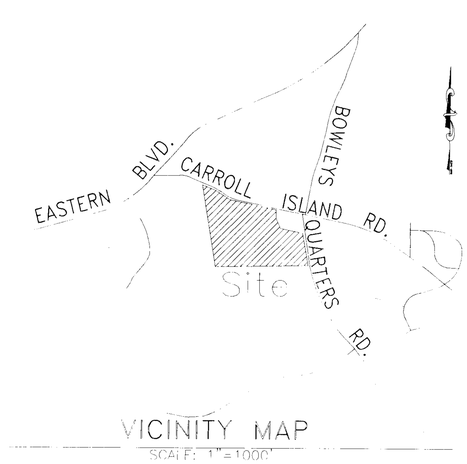
See the following cases: 71-243-X
85-003-SPH
90-156



118 CARROLL ISLAND RD
MIDDLE RIVER, MD 21220
CARROLL ISLAND SHOPPING CENTER

PET. EX. 3





VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

1) OWNER / APPLICANT: CARROLL ISLAND ASSOCIATES, LIMITED PARTNERSHIP
601 E. PRATT STREET, 6HT FLOOR
BALTIMORE, MARYLAND 21202
410-752-5444

2) PLAN PREPARED BY: TUNNIE PING, MLS
601 E. PRATT STREET, 6TH FLOOR
BALTIMORE, MARYLAND 21202
410-347-7942

3) THIS SITE IS SUBJECT TO DRC LIMITED EXEMPTION IN ACCORDANCE WITH SECTION 26-171 (B) (9), GRANTED ON 06/19/2000 - DRC NO. 061200

4) DEVELOPMENT PLAN (PDM NO. XV-760) APPROVED

5) ELECTION DISTRICT NO. 15 COUNCIL DISTRICT NO. 6

6) CENSUS TRACT 4518.02 WATERSHED: 2 SUBWATERSHED: 5

7) SUBJECT SITE ZONED: BL (ZONING MAP NO. NE 4K)

8) SUBJECT SITE ZONING HISTORY:
a) CASE NO. 74-254-X (ITEM #158)
A SPECIAL EXCEPTION TO PERMIT A MOVIE THEATER IN A BL-CCC ZONE, GRANTED MAY 10, 1974, SUBJECT TO APPROVAL OF A SITE PLAN
b) CASE NO. 76-232-X
SPECIAL EXCEPTION TO PERMIT A GARAGE FOR THE MOUNTING OF TIRES ONLY GRANTED MAY 11, 1976
c) CASE NO. 78-145-A,
VARIANCE TO PERMIT AN ADDITIONAL FREE STANDING DOUBLE FACED SIGN, GRANTED ON FEBRUARY 9, 1978.

9) SUBJECT SITE IS COMPRISED OF THE FOLLOWING PARCELS:

TAX MAP 91	GRID 9	PARCEL 61	PLAT REF:	37/80	TAX ACCT. NO.	1600013399
TAX MAP 91	GRID 9	PARCEL 57	DEED REF:	13030/620	TAX ACCT. NO.	1501920100
TAX MAP 91	GRID 9	PARCEL 58	DEED REF:	6409/655	TAX ACCT. NO.	1511670410
TAX MAP 91	GRID 9	PARCEL 59	DEED REF:	6905/193	TAX ACCT. NO.	1505000470
TAX MAP 91	GRID 9	PARCEL 60	DEED REF:	13030/620	TAX ACCT. NO.	1501920110
TAX MAP 91	GRID 9	PARCEL 64	DEED REF:	9522/744	TAX ACCT. NO.	1502200770

10) SUBJECT SITE AREA: 19.86 ACRES± (864,919 S.F.) NET
20.44 ACRES± (890,366 S.F.) GROSS

11) TOTAL BUILDING AREA: SHOPPING CENTER - 92,018 S.F.
BANK - 1,920 S.F.
RESTAURANT - 2,490 S.F.
WAL-MART - 107,057 S.F.
TOTAL 203,485 S.F.

12) FLOOR AREA RATIO: F.A.R. MAXIMUM - 3.0
203,485 S.F. (BUILDINGS) / 890,366 S.F. (GROSS SITE) = 0.23 F.A.R.

13) PARKING CALCULATIONS: SHOPPING CENTER (100,000 S.F. OR MORE OF GROSS LEASABLE AREA) SECTION 409.6 (A)(2) REQUIRED: 5.0 P.S.F. 1,000 S.F. (203,485 S.F./1,000) = 1,018 S.P.
PROVIDED: 1,024 SPACES (INCLUDING 21 ADA SPACES)

14) SUBJECT SITE PREVIOUS COMMERCIAL PERMITS:
1973: 397-73, 684-73, 722-73, 738-73, 917-73, 1508-73, 1612-73
1974: 187-74, 310-74, 552-74, 611-74, 656-74, 641-74, 825-74, 931-74, 1149-74, 1218-74, 1348-74, 1368-74
1975: 307-75, 470-75, 537-75, 633-75, 699-75, 844-75, 875-75
1976: 127-76, 723-76
1978: 207-78
1979: 48-79, 029-79
1982: 247-82
1986: 1124-86
1987: 612-87
1988: 1192-88
2002: B 477661

15) SUBJECT SITE BUILDING SETBACKS: (BL ZONE) IN ACCORDANCE WITH SECTION 232, BCZR
FRONT: 10' TO PROPERTY LINE + 40' TO CL OF STREET
SIDE: 0' ON INTERIOR LOTS, 10' ON CORNER LOTS - STREET SIDE, IF ABUTTING A RESIDENTIAL ZONE, SHALL HAVE 100' + 1.5' THAT THE MINIMUM FOR A DWELLING
REAR: 0', IF ABUTTING RESIDENTIAL ZONE, 20' MINIMUM REQUIRED

16) SUBJECT SITE IS SERVED BY PUBLIC WATER AND SANITARY SEWER

17) ALL SIGNAGE COMPLIES WITH SECTION 450 OF THE BCZR OR A VARIANCE WILL BE REQUESTED

Petition #1

PLAN TO ACCOMPANY A PETITION FOR SPECIAL EXCEPTION
CARROLL ISLAND SHOPPING CENTER

112 Carroll Island Road @ Bowley's Quarters Road
15th Election District — Baltimore County, MD
Scale 1"= 50' — August 30, 2004

#116